

	U.S. ENVIRONMENTAL PROTECTION AGENCY Assistance Amendment		GRANT NUMBER (FAIN): 99267202 MODIFICATION NUMBER: 1 PROGRAM CODE: BG	DATE OF AWARD 08/11/2006
			TYPE OF ACTION Augmentation: Increase	MAILING DATE 08/18/2006
			PAYMENT METHOD: Advance	ACH#
RECIPIENT TYPE: Indian Tribe			Send Payment Request to: Las Vegas Finance Center	
RECIPIENT: Saint Regis Mohawk Tribe 412 State Route 37 Akwesasne, NY 13655 EIN: 16-1007650			PAYEE: Saint Regis Mohawk Tribe 412 State Route 37 Akwesasne, NY 13655	
PROJECT MANAGER Ken Kock 412 State Route 37 Akwesasne, NY 13655 E-Mail: Phone: 518-358-2272		EPA PROJECT OFFICER Christine Yost 290 Broadway, DEPP/DO New York, NY 10007-1866 E-Mail: Yost.Christine@epa.gov Phone: 212-637-3564		EPA GRANT SPECIALIST Cynthia Pabon Grants and Contracts Mngt. Branch, OPM/GCMB E-Mail: pabon.cynthia@epa.gov Phone: 212-637-3405
PROJECT TITLE AND EXPLANATION OF CHANGES St. Regis 06-10 PPG This amendment increases the agreement by \$495,686 from \$447,223 to \$942,909; adds Administrative Condition No. 11 and Programmatic Condition No. 9; and revises Administrative Conditions 2 and 3 and Programmatic Condition No. 8. When additional funds become available for this program, the agreement will be increased.				
BUDGET PERIOD 01/01/2006 - 01/31/2010	PROJECT PERIOD 01/01/2006 - 01/31/2010	TOTAL BUDGET PERIOD COST \$5,333,153.00	TOTAL PROJECT PERIOD COST \$5,333,153.00	
NOTICE OF AWARD				
Based on your Application dated 06/06/2005 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$495,686. EPA agrees to cost-share 94.20% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$942,909. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.				
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)		AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS Grants and Audit Management Branch 290 Broadway, 27th Floor New York, NY 10007-1866		ORGANIZATION / ADDRESS U.S. EPA, Region 2 Division of Environmental Planning and Protection 290 Broadway New York, NY 10007-1866		
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY				
Digital signature applied by EPA Award Official Donna J. Vizian - Assistant Regional Administrator for Policy and Management				DATE 08/11/2006

EPA Funding Information

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 447,223	\$ 495,686	\$ 942,909
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 309,502	\$	\$ 309,502
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 756,725	\$ 495,686	\$ 1,252,411

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.605 - Performance Partnership Grants	Appropriations Act of 1996 (PL 104-134)	40 CFR PTS 31 & 35 SUBPT B

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	HE0526	2006	E1	02TB	101A17E	41.08			119,616
-	-	2006	E1	02TB	503B15E	41.08			167,473
-	-	2006	E1	02TB	403B07E	41.08			58,553
-	-	2006	E1	02TB	202B01E	41.08			16,729
-	-	2006	E1	02TB	502C13E	41.08			17,810
-	-	2006	E1	02TB	201B03E	41.08			35,661
-	-	2006	E1	02TB	202B06E	41.08			79,844
									495,686

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$2,459,859
2. Fringe Benefits	\$904,484
3. Travel	\$207,942
4. Equipment	\$82,044
5. Supplies	\$337,054
6. Contractual	\$293,091
7. Construction	\$0
8. Other	\$319,825
9. Total Direct Charges	\$4,604,299
10. Indirect Costs: % Base	\$571,918
11. Total (Share: Recipient <u>5.80</u> % Federal <u>94.20</u> %.)	\$5,176,217
12. Total Approved Assistance Amount	\$942,909
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$495,686
15. Total EPA Amount Awarded To Date	\$942,909

Detailed Table B Budget Page: 1

Table B - Program Element Classification (Non-construction)	Total Approved Allowable Budget Period Cost
1. Of the \$5,023,651 approved for this agreement, \$942,909 has been obligated. The agreement will be increased when additional funds become available.	\$
2.	\$
3.	\$
4.	\$
5.	\$
6.	\$
7.	\$
8.	\$
9.	\$
10.	\$
11. Total (Share: Recip % Fed %)	\$
12. Total Approved Assistance Amount	\$

Detailed Table B Budget Page: 1

Table B - Program Element Classification (Non-construction)	Total Approved Allowable Budget Period Cost
1. Of the \$5,023,651 approved for this agreement, \$942,909 has been obligated. The agreement will be increased when additional funds become available.	\$
2.	\$
3.	\$
4.	\$
5.	\$
6.	\$
7.	\$
8.	\$
9.	\$
10.	\$
11. Total (Share: Recip % Fed %)	\$
12. Total Approved Assistance Amount	\$

Administrative Conditions

Administrative Conditions 2 and 3 have been revised as follows:

2. FINANCIAL STATUS REPORTS/GRANT CLOSEOUT

A) Interim Financial Status Reports (FSR)

An Interim Financial Status Report (FSR) is to be submitted to the EPA Grants and Contracts Management Branch 90 days after the anniversary of the project period start date. Interim FSRs should be submitted to:

Roch Baamonde, Chief
Grants and Contracts Management Branch
USEPA Region 2
290 Broadway, 27th Floor
New York, NY 10007

B) Final Financial Status Reports

In accordance with 40 CFR 30.52(a)(1)(iv) or 31.41(b)(4) as it applies, the recipient shall submit to the EPA, Las Vegas Finance Center a "final" Financial Status Report (FSR) within 90 days after the expiration of the project period end date or the date of termination. You can either fax the reports to 702-798-2423 or mail them to:

U.S. Environmental Protection Agency
Las Vegas Finance Center
P.O. Box 98515
Las Vegas, NV 89193-8515

EPA may extend the due date for submission of a final FSR upon a written request from the recipient. The recipient is required to submit an "interim" FSR to the EPA Region 2 Grants and Contracts Management Branch, along with this request.

C) Closeout

The Administrative Closeout Phase for this grant will be initiated with the submission of a "final" FSR. At that time, the recipient must submit the following forms/reports to the EPA Region 2 Grants and Contracts Management Branch, if applicable:

- Federally Owned Property Report
- An Inventory of all Property Acquired with federal funds
- Contractor's or Grantee's Invention Disclosure Report (EPA Form 3340-3)

3. INDIRECT COSTS

If the recipient's negotiated rate does not extend through the life of the Assistance Agreement, additional indirect cost rate proposal(s) must be submitted until the full life of the Assistance Agreement is covered by negotiated indirect cost rates. The recipient **will not charge nor claim for reimbursement any indirect costs that are not covered by a negotiated indirect cost rate**. The recipient must submit a copy(ies) of the Indirect Cost Negotiation Agreement(s) to the EPA Regional Office in order to be eligible to claim indirect costs against this Assistance Agreement.

The following administrative condition is added:

11. RENT COSTS/TELEPHONE/INTERNET AND OTHER ALLOCATED DIRECT CHARGES

Costs for rent and other allocated direct charges cannot be charged to EPA assistance agreements until an allocation methodology has been approved by EPA. In order to charge a cost to an assistance agreement, the costs must be allocable to the agreement. A cost is considered allocable if the goods or services involved are chargeable or assignable to agreements in accordance with the benefit received. Since St. Regis Mohawk Tribe has included rent and other allocated direct charges in its budget, and these cost may benefit more than one grant program, an allocation methodology for charging these costs to EPA assistance agreements is required. Cost allocation plans need to go through a recipient's Cognizant Agency for review.

Programmatic Conditions

Programmatic Condition 8 has been revised as follows:

8. BUDGET DETAIL

The personnel and non-personnel budget for 2006 as well as the personnel budget for 2006 - 2010 has been approved. Before incurring non-personnel costs for 2007 through 2010, budget back-up information to support non-personnel costs for 2007 - 2010 must be submitted by the grantee and approved by the EPA Project Officer. At a minimum, this includes the back-up information 2007; however in a related matter, we encourage SRMT to submit budget back-up information for the remaining four year grant period, 2007 -2010, at this time to streamline the process. The back-up information should be prepared in accordance with established budget detail guidance.

The following Programmatic Condition is added:

9. SOLE SOURCE PROCUREMENT

With regard to the procurement of property and services under a Federal grant, the EPA regulations (40 CFR 31.36(a)), in pertinent part, require that the recipient follow the same policies and procedures it uses for procurements from its non-federal funds. As such, the sole source justification of the PWSS contract must meet St. Regis' policies and procedures governing sole source contracts.

All other Programmatic Conditions remain the same.